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November 28, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

RE: Interconnected Voice Over Internet Protocol 911 Compliance Letter of
Broadvox, Ltd.
WC Docket No. 04-36
WC Docket No. 05-196

Dear Ms. Dortch:

Broadvox, Ltd. ("Broadvox"), in response to the Commission's VoIP E911 Order ("Order") and the Public Notice issued by the Enforcement Bureau on November 7, 2005 ("Public Notice"), submits this report to advise the Commission of the status of Broadvox's efforts to comply with Commission Rule 9.5(e).

By way of background, Broadvox is a VoIP service provider which offers service to a variety of wholesale and retail business and residential customers in locations throughout the United States.

As requested in the Public Notice, Broadvox responds to the following questions set out in the Public Notice:

1) 911 Solution: This description should include a quantification, on a percentage basis, of the number of subscribers to whom the provider is able to provide 911 service in compliance with the rules established in the *VoIP 911 Order*. Further, the detailed description of the technical solution should include the following components:

In response to the Order, Broadvox references the excerpt below for providing insight to Broadvox's previous and current process for E911.

Excerpted from E911 Requirements for IP Enabled Service Providers, WC Docket No 05-196, [Nuvio, et al.] Motion for Partial Stay, at 5-9 (filed Oct. 24, 2005) (citations omitted):

Movants rapidly determined that they did not have the resources, capital or time to create and deploy their own dedicated E911 solution. Unlike traditional providers of telecommunications services, Movants were not required to obtain state licenses to operate as carriers, nor were they required to enter into interconnection agreements. As a result, Movants do not have the requisite legal authority to interconnect with selective routers in the Wireline E911 Network. Moreover, no CLEC has coverage to more than 60% of the country. Even if Movants had the resources and capital to obtain licenses in all 50 states - which they do not - there was not enough time for the Movants to obtain all such licenses and enter into interconnection agreements before November 28. Since Movants could not create their own E911 solution that would conform with the Order, Movants contacted third-party solution providers including Global Crossing, Intrado, Level 3, MCI, Telefinity and TeleCommunications Systems, Inc. Each of these companies offered slightly different services. Specifically, one party's service was limited to updating location information and address verification services and offered no 911 call delivery service. Another party could not accommodate nomadic VoIP service nor address nonnative telephone numbers. Another available solution was limited to telephone numbers assigned by the provider and is geographically limited to the provider's service footprint. Further, no company in the market offers a solution that will cover the entire United States by November 28, 2005.

*...
The Movants' vendors say they will have an E911 solution in compliance with the Order by November 28 in most markets within the top 20 Metropolitan Statistical Areas ("MSAs") of the United States. This covers only 10% of i2's customers and 12% of Lightyear's customers in the United States. Moreover, no vendor will contractually commit to having an E911 solution in place that conforms with the Order in any market at any time. At this time, Movants do not know when or if it will be possible to provide an E911 solution in conformity with the Order throughout the entire United States, but their vendors' deployment schedule only projects a solution in 116 of the 922 MSAs in the continental United States by the end of 2005. The vendor for i2, Nuvio and Lingo previously projected availability of 911 service in an additional 47 MSAs by September 2005, a projection that "has not yet occurred." According to this vendor, some parts of the United States will likely never be covered.*

Further, Movants do not believe any of the vendors they have contacted will be able to provide full E911 capability for non-native numbers by November 28. These calls require pseudo-telephone numbers (or "pseudo-ANI" or "p-ANI") that are geographically relevant to be dynamically assigned for purposes of routing the call through the selective router. The use of pseudo-ANI requires an entity to administer such numbering resources but in certain areas there is no such entity. In areas where there is no entity to administer the p-ANI, it is highly likely that neither the IVP nor the third party provider will have an E911 solution in place that conforms with all aspects of the Order by November 28, 2005 because neither entity will have access to the necessary numbering resources.

a) 911 Routing Information/Connectivity to Wireline E911 Network: A detailed statement as to whether the provider is transmitting, as specified in Paragraph 42 of the VoIP 911 Order, "all 911 calls to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority utilizing the Selective Router, the trunk line(s) between the Selective Router and the PSAP, and such other elements of the Wireline E911 Network as are necessary in those areas where Selective Routers are utilized." If the provider is

not transmitting all 911 calls to the correct answering point in areas where Selective Routers are utilized, this statement should include a detailed explanation why not. In addition, the provider should quantify the number of Selective Routers to which it has interconnected, directly or indirectly, as of November 28, 2005.

Broadvox has contracted with a third-party provider and have been working actively to meet the deadline. The current I1 solution is able to deliver emergency calls to 100% of the PSAPs via a 10-digit number. This solution provides 100% coverage in the United States. In the event a call cannot be delivered directly to the PSAP the caller is routed to a national call center with trained emergency operators.

Access to selective routers for delivery of voice to PSAP is an extremely costly and time-consuming procedure. This requires physical interconnection to over 650 selective routers owned by the ILECS as well as conversion of the call from IP to TDM. There are very few carriers capable of meeting this requirement and most are CLECs, such as Level 3, Global Crossing, and XO. However, none have 100% coverage and all have varying levels of support. Each requires use of their own DIDs in order to use their E911 infrastructure. They also require substantial upfront investments along with high recurring monthly charges. Finally, these existing solutions only support static numbers and cannot support out of area telephone numbers (foreign NPA/NXXs). For that we need a VPC provider.

Broadvox's third-party provider (HBF), who is also a VPC provider, has contracted with one of these CLECs with access to over 70% of the US population and is in negotiations to interconnect with other CLECs in order to reach the rest of the US population. The process of converting from the I1 solution to the I2 solution is underway. However, it will not be complete by November 28th.

b) Transmission of ANI and Registered Location Information: A detailed statement as to whether the provider is transmitting via the Wireline E911 Network the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information. This information should include: (i) a quantification, on a percentage basis, of how many answering points within the provider's service area are capable of receiving and processing ANI and Registered Location information that the provider transmits; (ii) a quantification of the number of subscribers, on a percentage basis, whose ANI and Registered Location are being transmitted to answering points that are capable of receiving and processing this information; and (iii) if the provider is not transmitting the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information, a detailed explanation why not.

Broadvox's third-party provider (HBF) has been actively involved in meeting the requirements of this order but given the short timeframes this is proving very difficult.

Delivery of ANI and registered location information to the PSAP requires connection agreements with all the ILECs, frame relay circuits to all the ALI databases, testing of links and data exchange, and loading of ESQKs into all the ALI databases. The circuit ordering timeframe is usually 4-6 weeks. Some of the smaller ILECs still do not have their VoIP ordering processes in place so no circuits have been ordered. Our third-party provider is installing these circuits but the 120 day timeframe from the FCC did not allow enough time to negotiate interconnection agreements with the ILECs and then order the circuits.

In addition, ESQKs have to be assigned and allocated. This issue current sits with the FCC to name an interim administrator for these non-dialable numbers. Without FCC guidance, it is nearly impossible to deploy services on a nationwide basis. This is stated in an ex parte filing from Tom Goode, Associate General Counsel of the Alliance for Telecommunications Solutions' (ATIS) Emergency Service Interconnection Forum (ESIF), to the Honorable Kevin J. Martin, Chairman, Federal Communications Commission:

On September 8, 2005, the NANC submitted these recommendations to the Chief of the Wireline Competition Bureau for approval. Included in this submission was a timeframe indicating that pANI administration for VoIP needed to commence by October 3, 2005, in order for all involved parties to meet the Commission's November 28, 2005, deadline for VoIP E9-1-1 solutions. However, as of the date of this letter, the Interim Routing Number Authority has not been established.

In the absence of a centralized pANI administrator and guidelines, VoIP Service Providers (VSPs) and other parties developing VoIP E9-1-1 solutions may not be able to meet the November 28, 2005, deadline for E9-1-1 service. This is contrary to ESIF's mission to advance emergency communications technology, and does not serve the public interest. In a significant part of the U.S., there is no mechanism for pANI administration. Without this administration, a VSP would need to use dialable numbers, an ineffective solution. Further, a VSP may not have access to these numbers on a nationwide basis, which could lead to additional delays in meeting the Commission's November 28, 2005, deadline.

ESIF recognizes that, even if the Commission were to approve the NANC recommendations quickly, a number of requests for extension of the November 28, 2005, deadline likely will still be filed. However, a delay in Commission action would likely further frustrate the implementation of VoIP E-9-1-1 solutions. The anticipated Interim RNA has indicated that it will need 30 days after the Commission's decision to begin pANI allocation. Further, based on feedback from VSPs and VoIP Positioning Center companies, the deployment and testing of these ESQKs will take another 60 to 90 days.

Finally, this solution requires testing with over 6000 PSAPs to meet the deadline. This takes time as each PSAP must be tested with each ESQK. Again the 120 day timeframe doesn't allow enough time to get interconnection agreements with each ILEC, provision circuits, create ESQK shell records, and then schedule/execute testing with 6000 PSAPs. Our third-party provider has this effort underway but it is time consuming. The wireless industry has had years to perform this same effort and they are not complete yet.

Until these issues are resolved, our third-party provider has developed a web-based solution that allows PSAPs to see the real-time ANI/ALI information for each VoIP call. This gives the PSAP access to callback information when the call is delivered via the I1 solution.

c) 911 Coverage: To the extent a provider has not achieved full 911 compliance with the requirements of the VoIP 911 order in all areas of the country by November 28, 2005, the provider should: 1) describe in detail, either in narrative form or by map, the areas of the country, on a MSA basis, where it is in full compliance and those in which it is not; and 2) describe in detail its plans for coming into full compliance with the requirements of the order, including its anticipated timeframe for such compliance.

Based on the issues above, full compliance has not yet been achieved. However, our third-party provider has been actively working with NENA, ATIS, the VON Coalition, as well as with every ILEC to complete the ESQK assignment process and finalize the ANI/ALI links. In addition, access to the selective routers is being achieved through partnerships with CLECs throughout the country. This is an extremely time-consuming and costly process which is multiplied given the tight timeframes.

2) Obtaining Initial Registered Location Information: A detailed description of all actions the provider has taken to obtain each existing subscriber's current Registered Location and each new subscriber's initial Registered Location. This information should include, but is not limited to, relevant dates and methods of contact with subscribers and a quantification, on a percentage basis, of the number of subscribers from whom the provider has obtained the Registered Location.

On November 11, 2005, Broadvox sent notification by voicemail to every one of its customers who had not registered a location. The voicemail detailed the importance of registering a location and gave detailed instructions on how to use the web-based portal system for entering Registered Location information. In addition, Broadvox also posted information for registering location information on the web-based portal for all customers to be notified which runs 24/7 from November 2005-January 2006.

With respect to new customers, as part of the Broadvox subscription process, as of November 28, 2005, all new accounts will be in a suspend mode until the subscriber registers a location via their web-based portal. The service will activate within approximately 30 minutes after a Registered Location has been provided.

As of November 28th, 2005, Broadvox has obtained Registered Location information from approximately 34% of its subscriber base. However, Broadvox has processes in place to ensure 100% compliance of Registered Location information by January 1, 2006 by initiating email, voicemail and live calls to those who do not have a Registered Location on file.

3) Obtaining Updated Registered Location Information: A detailed description of the method(s) the provider has offered its subscribers to update their Registered Locations. This information should include a statement as to whether the provider is offering its subscribers at least one option for updating their Registered Location that permits them to use the same equipment that they use to access their interconnected VoIP service.

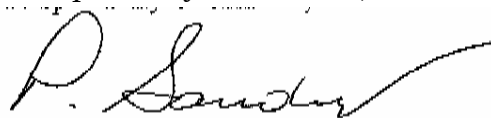
Broadvox provides its subscribers the ability to update their Registered Location via the web-based portal system. Broadvox also provides "611" dialing access from the device attached to the equipment which connects the subscriber to a customer service agent who can assist in the Registered Location.

4) Technical Solution for Nomadic Subscribers: A detailed description of any technical solutions the provider is implementing or has implemented to ensure that subscribers have access to 911 services whenever they use their service nomadically.

Broadvox has a real-time interface between our platform and our third-party provider that allows instant address validation and PSAP assignment. This API allows our subscribers to enter a new 911 address on our site and have instant verification that the address is valid and that 911 service is activated for the new site. This also allows the subscriber to have real-time error notices that will allow them to correct their address if there is an issue with it.

Broadvox's third-party provider (HBF) has full PSAP boundary information for the entire United States and can instantly assign a subscriber to the appropriate PSAP as soon as they enter their address. This allows for real-time support of nomadic subscribers.

Respectfully submitted,



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Broadvox, Ltd.

PS/cf

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